

MAY 08 2006

BEFORE THE FEDERAL ELECTION COMMISSION

COMMISSION
SECRETARIAT

2006 MAY -8 A 11: 14

In the Matter of)

MUR 5697

Missouri Democratic State Committee and)
Rod Anderson, in his official capacity as Treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT # 2

I. ACTIONS RECOMMENDED: Accept the attached conciliation agreement with the

Missouri Democratic State Committee and Rod Anderson, in his official capacity as Treasurer,
and close the file.

II. BACKGROUND

This matter was generated as a result of an audit of the Missouri Democratic State
Committee ("MDSC" or "Committee") for the 2002 Election Cycle. The Commission approved
the Audit Division's Report on September 7, 2005, and the Audit Division referred three out of
six findings to this Office for enforcement. On January 13, 2006, the Commission found reason
to believe that MSDC violated: (1) 2 U.S.C. § 441a(a)(1)(C) and 11 C.F.R. § 110.4(c)(3) of the
Federal Election Campaign Act of 1971, as amended ("the Act")¹ by accepting \$44,445 in
excessive contributions, including \$5,675 in excessive anonymous cash contributions;
(2) 2 U.S.C § 441a(a)(1)(C) and 11 C.F.R. § 116.5(b) by accepting \$23,647 in excessive
contributions in the form of untimely reimbursements of staff advances; and (3) 2 U.S.C.

¹ All of the facts recounted in this report occurred prior to the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Accordingly, all citations to the Federal Election Campaign Act of 1971, as amended ("the Act"), herein are to the Act as it read prior to the effective date of BCRA and all citations to the Commission's regulations herein are to the 2002 edition of Title 11, Code of Federal Regulations, which was published prior to the Commission's promulgation of any regulations under BCRA.

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1 § 432(c) and 11 C.F.R. § 102.9(b) by failing to keep proper records of disbursements.

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4 **III. CONCILIATION AND CIVIL PENALTY**

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General Counsel's Report #2

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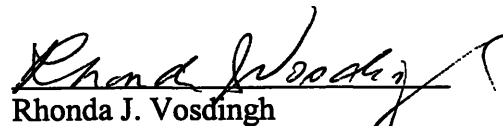
IV. RECOMMENDATIONS


1. Accept the attached conciliation agreement with the Missouri Democratic State Committee and Rod Anderson, in his official capacity as Treasurer.
2. Approve the appropriate letter.
3. Close the file.

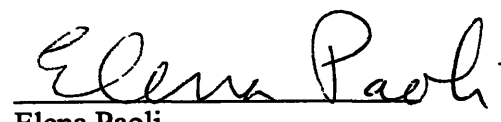
Lawrence H. Norton
General Counsel

DATE: 5/5/06

BY:


Rhonda J. Vosdingh
Associate General Counsel for Enforcement


Ann Marie Terzaken
Assistant General Counsel


Elena Paoli
Attorney

Attachment:

1. Conciliation Agreement with Missouri Democratic State Committee and Rod Anderson, in his official capacity as Treasurer.